



Billing Code: 4510-43-P

**DEPARTMENT OF LABOR**

**Mine Safety and Health Administration**

**[OMB Control No. 1219-0009]**

**Proposed Information Collection;** Training Plans and Records of Training, for Underground Miners and Miners Working at Surface Mines and Surface Areas of Underground Mines

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Request for public comments.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed collections of information in accordance with the Paperwork Reduction Act of 1995, 44 U.S.C. 3506(c)(2)(A). This program helps to assure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Mine Safety and

Health Administration (MSHA) is soliciting comments on the information collection for Training Plans and Records of Training, for Underground Miners and Miners Working at Surface Mines and Surface Areas of Underground Mines.

**DATES:** All comments must be received on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** Comments concerning the information collection requirements of this notice may be sent by any of the methods listed below.

- *Federal E-Rulemaking Portal:*  
<http://www.regulations.gov>. Follow the on-line instructions for submitting comments for docket number [MSHA-2013-0043].
- *Regular Mail:* Send comments to MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, VA 22209-3939.
- *Hand Delivery:* MSHA, 1100 Wilson Boulevard, Room 2350, Arlington, VA. Sign in at the receptionist's desk on the 21<sup>st</sup> floor.
- **FOR FURTHER INFORMATION CONTACT:** Sheila McConnell, Acting Director, Office of Standards, Regulations, and Variances, MSHA, at

MSHA.information.collections@dol.gov (e-mail); 202-693-9440 (voice); or 202-693-9441 (facsimile).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Section 103(h) of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. 813(h), authorizes MSHA to collect information necessary to carry out its duty in protecting the safety and health of miners. Further, Section 101(a) of the Mine Act, 30 U.S.C. 811 authorizes the Secretary to develop, promulgate, and revise as may be appropriate, improved mandatory health or safety standards for the protection of life and prevention of injuries in coal or other mines.

The Mine Act, as amended, 30 U.S.C. 801 et seq., recognizes that education and training in the improvement of miner health and safety is an important element of federal efforts to make the nation's mines safe. Section 115(a) of the Mine Act states that "each operator of a coal or other mine shall have a health and safety training program which shall be approved by the Secretary." Title 30 CFR 48.3 and 48.23 require training plans for underground and surface mines, respectively. The standards are intended to assure that miners will be effectively trained in matters affecting their health and safety, with

the ultimate goal of reducing the occurrence of injury and illness in the nation's mines.

Training plans are required to be submitted for approval to the MSHA District Manager for the area in which the mine is located. Plans must contain the following: 1) company name, 2) mine name, 3) MSHA identification number of the mine, 4) the name and position of the person designated by the operator who is responsible for health and safety training at the mine, 5) a list of MSHA-approved instructors with whom the operator proposes to make arrangements to teach the courses and the courses each instructor is qualified to teach, 6) the location where training will be given for each course, 7) a description of the teaching methods and the course materials which are to be used in training, 8) the approximate number of miners employed at the mine and the maximum number who will attend each session of training, 9) the predicted time or periods of time when regularly scheduled refresher training will be given including the titles of courses to be taught, 10) the total number of instruction hours for each course, and 11) the predicted time and length of each session of training for new task training including a complete list of task assignments, the titles of personnel conducting the training, the outline of training procedures used, and the

evaluation procedures used to determine the effectiveness of the training.

Title 30 CFR 48.9 and 48.29 require records of training for underground and surface mines, respectively. Upon completion of each training program, the mine operator certifies on a form approved by the Secretary (MSHA Form 5000-23) that the miner has received the specified training in each subject area of the approved health and safety training plan.

The certificates are to be maintained by the operator for a period of two years for current employees and sixty days for terminated employees and must be available for inspection at the mine site. In addition, the miner is entitled to a copy of the certificate upon completion of the training and when he/she leaves the operator's employment.

## **II. Desired Focus of Comments**

MSHA is soliciting comments concerning the proposed information collection related to Training Plans and Records of Training, for Underground Miners and Miners Working at Surface Mines and Surface Areas of Underground Mines. MSHA is particularly interested in comments that:

- Evaluate whether the collection of information is necessary for the proper performance of the functions

of the agency, including whether the information has practical utility;

- Evaluate the accuracy of MSHA's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

This information collection request is available on <http://www.msha.gov/regs/fedreg/informationcollection/informationcollection.asp>. The information collection request will be available on MSHA's website and on <http://www.regulations.gov>. MSHA cautions the commenter against providing any information in the submission that should not be publicly disclosed. Full comments, including personal information provided, will be made available on [www.regulations.gov](http://www.regulations.gov) and [www.reginfo.gov](http://www.reginfo.gov).

The public may also examine publicly available documents at MSHA, 1100 Wilson Boulevard, Room 2350, Arlington, VA. Sign in at the receptionist's desk on the 21st floor.

Questions about the information collection requirements may be directed to the person listed in the FOR FURTHER INFORMATION section of this notice.

### **III. Current Actions**

This request for collection of information contains provisions for Training Plans and Records of Training, for Underground Miners and Miners Working at Surface Mines and Surface Areas of Underground Mines. MSHA has updated the data with respect to the number of respondents, responses, burden hours, and burden costs supporting this information collection request.

*Type of Review:* Extension, without change, of a currently approved collection

*Agency:* Mine Safety and Health Administration

*OMB Number:* 1219-0009

*Affected Public:* Business or other for-profit

*Number of Respondents:* 2,399

*Frequency:* On occasion

*Number of Responses:* 143,263

*Annual Burden Hours:* 17,741 hours

*Annual Respondent or Recordkeeper Cost: \$465,617*

*MSHA Forms: MSHA Form 5000-23, Certificate of Training.*

Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: February 21, 2014.

Patricia W. Silvey,  
*Certifying Officer.*

*[FR Doc. 2014-04248 Filed 02/26/2014 at 8:45 am;  
Publication Date: 02/27/2014]*